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Security Council

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Security Council Committee established pursuant to resolution 1267 (1999)

Note verbale dated 22 April 2003 from the Permanent Mission of Tunisia to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Tunisia to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Afghanistan and, with reference to his note verbale SCA/2/03(03) of 4 March 2003, has the honour to transmit herewith the report of Tunisia pursuant to Security Council resolution 1455 (2003) of 17 January 2003 concerning Afghanistan.

The Permanent Mission of Tunisia to the United Nations takes this opportunity to convey to the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Afghanistan the renewed assurances of its highest consideration.

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Annex to the note verbale dated 22 April 2003 from the Permanent Mission of Tunisia to the United Nations addressed to the Chairman of the Committee

[Original: Arabic]

Report on measures taken by Tunisia pursuant to Security Council resolution 1455 (2003) of 17 January 2003 relating to the combating of the terrorist activities of the Taliban and al-Qa`idah

The desire of Tunisia to keep up with the international endeavour to combat terrorism is strong. Tunisia was one of the first States to call for the eradication of anything that might lead to the spread of terrorism or its underlying motives and was swift to become a party to all twelve international conventions relating to the combating of this scourge.

Tunisia has transmitted its report on the implementation of Security Council resolution 1373 (2001) and has responded to the requests for clarification posed in that regard (supplementary report). It has also submitted its report on the implementation of Security Council resolution 1390 (2002). These reports set forth in detail all the measures and steps taken by the Tunisian authorities with regard to the prevention and suppression of terrorism and to combat the financing thereof, in accordance with the requirements of the relevant Security Council resolutions.

The enduring desire of Tunisia to combat terrorism is evident in its commitment to the requirements of Security Council resolution 1455 (2003) and previous resolutions calling upon all States to combat the terrorist activities being conducted by any member of the Taliban and al-Qa`idah or by any individuals, groups, undertakings and entities associated with the Taliban and al-Qa`idah.

With regard to the comprehensive summary of the frozen assets of persons and entities who are mentioned in the list, prepared by the Afghanistan Sanctions Committee and updated by Security Council resolution 1267 (1999) and who are present in the territory of Member States, all banks in Tunisia have been informed of the relevant Security Council resolutions and are provided with any updates of the list of entities and persons targeted by freeze measures. The Financial Market Council has adopted the same measures with regard to stockbrokers. The banks have also been requested to take the necessary steps to freeze funds, financial assets and resources in their possession that belong to such persons and entities and to notify the authorities concerned whenever taking such steps. The Central Bank of Tunisia conducts the necessary investigations with a view to the adoption of these measures.

It should be noted that, to date, these investigations have not revealed anything pointing to the existence of any funds, financial assets or resources on hand in the Tunisian banking system or with stockbrokers that might belong to the persons or entities identified in the list.

The steps taken by Tunisia in implementation of the measures referred to in paragraph 1 of Security Council resolution 1455 (2003), subsequent to submission of its report dated 8 May 2002 on the implementation of resolution 1390 (2002), are as follows.

Following the recent ratification by Tunisia of the International Convention for the Suppression of the Financing of Terrorism and the Convention against Transnational Organized Crime and in view of the firm organic link between methods of financing terrorist activity and methods of laundering the proceeds of serious crimes, the Chamber of Deputies decided to redraft the national anti-terrorism bill, mentioned previously in Tunisia's report on the implementation of Security Council resolution 1390 (2002). The new text includes provisions concerning the prevention of money-laundering offences, the suppression of illegal financial methods and the combating of the financing of terrorism, as well as provisions relating to terrorism and its suppression.

A general and comprehensive anti-terrorism law will be promulgated once it has passed through the first phase in the highest State legislative authorities (the Chamber of Deputies and the Constitutional Council) and will, in the coming few weeks, take final form and include the following:

- A first chapter, on support for the international endeavour to combat terrorism;
- A second chapter, on the prevention and suppression of money-laundering;
- A third chapter, containing common provisions on the financing of terrorism and money-laundering.

These provisions include principles of security and minimum accounting which all legal persons, organizations and structures must adopt in order to prevent the use of such persons as a cover for the financing of individuals, organizations or activities related to terrorist crimes or for the laundering of the proceeds of offences deemed by the law to be of a serious or less serious nature, even if not committed in Tunisia.

Mechanisms for that purpose have been authorized, such as the establishment of a Tunisian framework for financial analysis the functions of which include the monitoring of procedures and dubious or unusual transactions suspected of being linked to the financing of terrorist activities.

The bill also contains two regulations for freezing dubious or unusual transactions, the former on the basis of a permit and the latter on the basis of a court order.